

ORDINANCE
CITY OF NEW ORLEANS

CITY HALL: August 6, 2020

CALENDAR NO. 33,093

NO. _____ MAYOR COUNCIL SERIES

BY: COUNCILMEMBER WILLIAMS

AN ORDINANCE to amend and reordain Section 70-9 of the Code of the City of New Orleans, relative to public defense funding, to require parity among City budget allocations to the Orleans Public Defenders and Orleans Parish District Attorney's Office; and otherwise to provide with respect thereto.

WHEREAS, it is well established that indigent criminal defendants have the constitutional right to receive legal counsel, yet funding such defense counsel is left up to the states; and

WHEREAS, Orleans Public Defenders (OPD) represent about 85% of criminal defendants in Orleans Parish; and

WHEREAS, public defense in New Orleans is funded through an unstable combination of City and State dollars as well as court and traffic fines and fees; and

WHEREAS, this patchwork of funding falls far short of what's needed to ensure a speedy and effective defense; and

WHEREAS, fairness requires that the City act to ensure a more equitable local justice system; **NOW THEREFORE**

SECTION 1. THE COUNCIL OF THE CITY OF NEW ORLEANS HEREBY

ORDAINS, That Section 70-9 of the Code of the City of New Orleans, currently reserved, is

hereby reordained to read as follows:

4 **“Section 70-9. – Public defender funding parity.**

5 No annual budget allocation from the City of New Orleans to the Orleans Public Defenders
6 (OPD) shall be less than 85% of the annual budget allocation to the Orleans Parish District
7 Attorney’s Office. If the City of New Orleans provides office space or equipment to either of these
8 offices, the provision of such shall be included in the allocation calculation.”

ADOPTED BY THE COUNCIL OF THE CITY OF NEW ORLEANS _____

PRESIDENT OF THE COUNCIL

DELIVERED TO THE MAYOR ON _____

APPROVED:

DISAPPROVED: _____

MAYOR

RETURNED BY THE MAYOR ON _____ **AT** _____

CLERK OF COUNCIL

ROLL CALL VOTE:

YEAS:

NAYS:

ABSENT:

RECUSED: